

# ITEL

RECORDATION NO. *10270-B* FILED 1425

## Transportation Services Group

JUN 22 1979 - 12 55 PM

Two Embarcadero Center  
San Francisco, California 94111  
(415) 955-0266  
Cable ITELCONT  
Telex domestic 340867  
international 278559  
470332

Edward P. Schneider  
Vice President and Treasurer

INTERSTATE COMMERCE COMMISSION

June 19, 1979

9-173A032  
JUN 22 1979  
10 00  
Washington, D. C.

The Acting Secretary  
Interstate Commerce Commission  
Washington, D. C. 20423

Dear Sir:

Will you please record, as provided in 49 U.S.C. § 11303, the Release and Assignment dated as of May 25, 1979, releasing and assigning certain rights under a Conditional Sale Agreement dated as of April 3, 1979, between the parties set forth below. Six counterpart originals of the document are enclosed with this letter of transmittal, along with a check which includes the \$10 filing fee for this document.

The information required for such recordation by order of the Interstate Commerce Commission is as follows:

The names and addresses of the parties to the transaction:

|           |   |   |
|-----------|---|---|
| Vendor    | - | ACF Industries, Incorporated<br>750 Third Avenue<br>New York, New York 10017  |
| Purchaser | - | ITEL Corporation<br>Two Embarcadero Center<br>San Francisco, California 94111 |

Description of the Equipment:

| <u>No. of<br/>Units</u> | <u>Road<br/>Numbers</u> | <u>Description</u>        | <u>A.A.R.<br/>Mechanical<br/>Designation</u> |
|-------------------------|-------------------------|---------------------------|--|
| 50                      | COER 100050-100099      | TOFC/COFC 89'4"<br>70-ton | FC   |

RECEIVED  
JUN 22 12 50 PM '79  
I.C.C.  
FEE OPERATION BR.

*Michael G. Pappas*  
*C. D. Dwyer*



## Transportation Services Group

The Conditional Sale Agreement dated as of April 3, 1979, was filed with the Interstate Commerce Commission at 2:40 PM on April 9, 1979, and assigned recordation number 10270.

Five counterpart originals of the document being recorded should be stamped and returned to the person delivering this letter.

Very truly yours,

A handwritten signature in cursive script, reading "Edward P. Schneider". The signature is written in dark ink and is positioned above the typed name.

Edward P. Schneider  
Vice President, Treasurer  
Itel Corporation,  
Transportation Services Group

EPS:ma  
Enclosures

RELEASE AND DISCHARGE

This Release and Discharge dated May 25, 1979 from ACF INDUSTRIES, INCORPORATED (the "Vendor") whose principal office is at 750 Third Avenue, New York, New York to ITEL CORPORATION RAIL DIVISION (the "Vendee"), whose principal office is at Two Embarcadero Center, San Francisco, California 94111.

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WITNESSETH:

WHEREAS, the Vendee by a Conditional Sale Agreement (the "CSA") dated as of April 3, 1979, as amended by a certain Amendment (the "Amendment") dated as of May 5, 1979, granted a security interest to the Vendor in certain railroad equipment (the "Collateral"), more particularly described in Schedule A attached hereto as security for the payment of the purchase price of the Collateral; and

WHEREAS, the CSA was filed and recorded with the Interstate Commerce Commission on April 9, 1979 at 2:40 a.m. pursuant to the provisions of 49 U.S.C. §11303 and was assigned Recordation No. 10270 and the Amendment was similarly filed and recorded on May 17, 1979 at 11:10 a.m. and was assigned Recordation No. 10270-A; and

WHEREAS, the purchase price of the Collateral and all other sums secured by the CSA, as amended by the Amendment, have been paid in full;

NOW, THEREFORE, in consideration of the premises and of the sum of \$1.00 and other good and valuable consideration, the receipt whereof is hereby acknowledged and in pursuance of the terms and provisions of the CSA, as amended by the Amendment, the Vendor hereby releases and relinquishes any and all right, title, claim or demand of the Vendor in and to the Collateral arising by, through or under the CSA, as amended by the Amendment, and further authorizes this Release and Discharge to be filed with and recorded by the Interstate Commerce Commission pursuant to 49 U.S.C. §11303 in order to discharge the CSA, as amended by the Amendment, and to satisfy the same of record.

IN WITNESS WHEREOF, the Vendor has caused this instrument to be executed all as of the date and year first above written.

ACF INDUSTRIES, INCORPORATED

BY

*La Bont*

Its

TREASURER

(Corporate Seal)

Attest:

*[Signature]*

Assistant Secretary

DESCRIPTION OF COLLATERAL

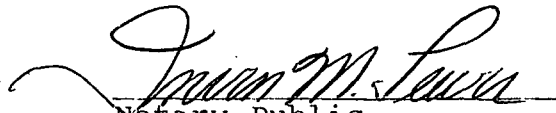
Fifty (50) TOFC/COFC, 70-ton 89' 4" Flat Cars  
COER 100050 -100099

SCHEDULE A

(to Release and Discharge)

STATE OF NEW YORK     )  
                              ) ss:  
COUNTY OF NEW YORK    )

On this 25<sup>th</sup> day of May, 1979, before me personally appeared  
**H. A. BORST**, to me personally known, who being by me duly  
sworn, says he is **TREASURER** of ACF INDUSTRIES, INCORPORATED,  
that one of the seals affixed to the foregoing instrument is the  
corporate seal of said corporation, that said instrument was  
signed and sealed on behalf of said corporation by authority of  
its Board of Directors; and he acknowledged that the execution  
of the foregoing instrument was the free act and deed of said  
corporation.

  
Notary Public

IRWIN M. LEWIS  
NOTARY PUBLIC, State of New York  
No. 60-234777  
Qualified in Westchester County  
Certificate filed in New York County  
Commission Expires March 30, 1981

(SEAL)

My commission expires: